

John Boehner  
Chairman  
8th District, Ohio

*House Meets at 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.R. 2646—Education Savings Act for Public and Private Schools  
(Conference Report)**

**H.R. 3097—Tax Code Termination Act**

**H.R. 2183—Bipartisan Campaign Integrity Act**



**H.R. 2646—Education Savings Act for Public and Private Schools (Conference Report)**

**Floor Situation:** The House will consider the rule only for the conference report to H.R. 2646 as its first order of business today. Conference reports are privileged and may be considered any time three days after they are filed; they are debatable for one hour, may not be amended, and are subject to one motion to recommit. Yesterday, the Rules Committee granted a rule waiving all points of order against the conference report and its consideration.

**Summary:** The conference report to H.R. 2646 amends the Internal Revenue Code to (1) expand the acceptable use of tax-free expenditures from education savings accounts (ESAs) to include elementary and secondary school expenses, (2) increase to \$2,000 per year the maximum amount of contributions that may be made to an ESA, and (3) include corporations as parties who may contribute to an ESA. Current law allows annual ESA deposits of up to \$500 from parents or other family members, and restricts the use of funds only for post-secondary education expenses.

The conference report also amends current law regarding how vacation or severance compensation that is paid on a deferred basis should be treated relative to an individual's taxable income for a given tax year. Specifically, the bill provides that, except for severance pay, any such payment received by an individual within two and one-half months after the end of the taxable year (that is, on or around mid-March) is counted as actual compensation taxable as income immediately for the tax year in which the compensation payment is made. H.R. 2646 passed the House by a vote of

230-198 on October 23, 1997; the Senate passed the bill, as amended, by a vote of 56-43 on April 23, 1998. The conference report to H.R. 2646 was submitted by Mr. Archer on June 15, 1998.

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #29, October 17, 1997; and Vol. XXVII, #16, Pt. II, June 16, 1998.



## **H.R. 3097—Tax Code Termination Act**

**Floor Situation:** The House will consider H.R. 3097 after it completes consideration of the rule for the conference report to H.R. 2646, the Education Savings Act for Public and Private Schools. Yesterday, the Rules Committee granted a closed rule providing for two hours of general debate, equally divided between the chairman and ranking minority member of the Ways & Means Committee. The rule makes in order a manager's amendment in the nature of a substitute (see below) as base text and provides one motion to recommit, with or without instructions.

**Summary:** H.R. 3097, as introduced, sunsets the current tax code effective December 31, 2001, but makes an exception for provisions specifically relating to Social Security and Medicare. Additionally, the bill requires that Congress enact a replacement tax code no later than July 4, 2001, in order to ensure a smooth transition to the new system at the beginning of 2002. The effect of the measure is to contribute to a national dialogue on a way to replace the current income tax system which is fairer, less complicated, and less burdensome to working Americans. H.R. 3097 was introduced by Mr. Largent and Mr. Paxon, *et al.* on January 27, 1998; the bill was not considered by any committee.

As stated above, the rule makes in order a manager's substitute amendment which (1) changes the date of termination for the tax code from December 31, 2001, to December 31, 2002; (2) excepts from termination those taxes relating to tax on self-employment income, the Federal Insurance Contributions Act (FICA), and the Railroad Retirement Tax Act; and (3) provides that Congress must enact a replacement federal tax system no later than July 4, 2002.

**Views:** The Republican Leadership strongly supports passage of H.R. 3097. At press time, the Clinton Administration had not yet issued an official position on the bill.

**Additional Information:** See *Legislative Digest*, Vol. XXVII, #16, June 12, 1998.



## **H.R. 2183—Bipartisan Campaign Integrity Act**

**Floor Situation:** The House is scheduled to continue consideration of H.R. 2183 after it completes consideration of H.R. 3097. On Thursday, June 11, the House completed general debate and will now begin considering substitutes under the modified open rule. The rule makes in order 11 substi-

tute amendments and provides an hour of general debate on each substitute. The rule accords priority in recognition to members who have their amendments to the substitutes pre-printed in the *Congressional Record* and prohibits perfecting amendments to the substitutes that include tax or tariff measures. The rule states that if more than one substitute amendment is adopted, the one which receives the greatest number of votes will prevail and be reported back to the House. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

**Summary:** H.R. 2183 amends the 1971 Federal Election Campaign Act (FECA) to (1) ban the use of certain “soft money” by national political parties and federal candidates; (2) increase the aggregate annual limit on contributions made by individuals to political parties; and (3) repeal limitations on the amount of coordinated expenditures that may be made by political parties. The bill indexes contribution limits to inflation beginning in 1999. The bill requires that radio and television communications paid for by third parties be fully disclosed. It revises current Federal Election Commission (FEC) filing requirements to mandate monthly reports by principal campaign committees and other political committees and requires electronic filing for certain reports. The bill also eliminates the “best efforts” exception with respect to obtaining information regarding the occupation or the name of employers of certain individual contributors. The bill was introduced by Hutchinson *et al.* and was not considered by a House committee.

**Views:** The Republican leadership has not taken a unified position on the measure or any of the substitutes. An official Clinton Administration viewpoint was also unavailable at press time.

**Substitutes:** As stated above, the rule makes in order 11 substitute amendments and provides for an hour of general debate on each substitute. The House is expected to debate the White, Shays-Meehan, and possibly the Bass substitutes today.

### — *White Substitute* —

The White substitute establishes a six-month independent commission to recommend reforms to laws that govern federal elections. The amendment is modeled after the Base Closure and Realignment Commission. The amendment requires that the commission consist of 12 members (four Republicans, four Democrats, and four independents), appointed by the president within 15 days of enactment, who are specially qualified to serve by reason of education, training, or experience. The amendment requires the Speaker of the House, Senate Majority Leader, House Minority Leader, and Senate Minority Leader to each make three appointments, with one of three being a political “independent.”

The substitute requires the commission to submit its recommendations to Congress within 180 days after the 105th Congress adjourns *sine die*. It requires the support of a super-majority of the full commission (nine members) when approving any recommended legislation. The substitute recommends that the commission consider the following to be its primary goals: (1) encouraging fair and open federal elections which provide voters with meaningful information about candidates and issues; (2) eliminating the disproportionate influence of special interest financing of federal elections; and (3) creating a more equitable electoral system for challengers and incumbents.

The amendment requires expedited congressional consideration of the legislation recommended by the commission. It states the legislation may not be amended and will have a limited debate time of 10 hours in both the House and the Senate. The amendment terminates the commission 90 days after submitting its report and also authorizes such sums as necessary for the commission to carry out its duties. The amendment is identical to H.R. 3502, the Independent Commission on Campaign Finance Reform Act, which was introduced by Mr. White on March 18, 1998. **Staff Contact: Josh Mathis, x5-6311**

#### **Amendments to the White Substitute:**

**Mr. Calvert** may offer an amendment (#15) to limit the amount of contributions that a congressional candidate, delegate, or resident commissioner may receive from individuals who do not live in the congressional district (in the case of a House of Representatives campaign) or state (in the case of a Senate campaign) in which the candidate is running. The amendment prohibits out-of-state and out-of-district contributions from exceeding that of in-state and in-district contributions—thus requiring at least a 50/50 split. The amendment further requires that all candidates detail in their campaign committee report (covering the period 19 days before an election and 20 days after an election) the total contributions from local individuals and those of all individuals as of the last day of the report. Finally, the amendment establishes a penalty for candidates whose contributions exceed the above limitation—a fine equal to 200 percent of the amount in excess of the permitted amount. Interest may accrue on any portion of the fine that has not been paid after 30 days after being levied. **Staff Contact: Dave Kennet, x5-1986**

**Mr. Campbell** may offer an amendment (#58) to (1) limit in-district contributions to candidates for Congress and in-state contributions to candidates for the Senate to \$1,000 per individual, and limit out-of-district and out-of-state contributions to \$100; (2) ban political action committees (PACs) from contributing money to federal candidates; (3) extend “paycheck protection” to require corporations, national banks, and labor unions to get separate, prior, written, and voluntary authorization to spend money on political activities (non-profit groups are exempt from this provision); and (4) ban the use of soft money by national parties and candidates, by states for federal election activities, and ban soft money transfers between states. **Staff Contact: Ed Siebert, x5-2631**

**Mr. Cook** may offer an amendment (#1) to require candidates to file Federal Election Commission (FEC) reports electronically—currently only an option for candidates—and require the FEC to post those reports on the Internet within 24 hours. The purpose of the amendment is to provide the public easy access to campaign finance information. **Staff Contact: Martin McGuinness, x5-3011**

**Mr. Cox** may offer an amendment (#52) to prohibit all forms of campaign fundraising on federal property. Federal property is defined as any room or building—not limited to the White House—wherein officers or employees of the United States perform official duties. **Staff Contact: Brad Campbell, x5-5611**

**Mr. Cox** may offer an amendment (#55) to prohibit certain defenses to violating the ban on foreign contributions. Specifically, the amendment states that a defendant in such a case may not claim that he or she did not know that the contribution originated from a foreign national if he or she was aware that the likelihood was high. **Staff Contact: Brad Campbell, x5-5611**

**Mr. Gillmor** may offer an amendment (#37) to ensure that every voter will be entitled to the same rights and opportunities to contribute individually and collectively to political campaigns. *Staff Contact: Jim Steen, x5-6405*

**Mr. Gillmor** may offer an amendment (#38 or #92) to assert that all Americans should be afforded equal rights to participate in the political process, regardless of race, gender, ethnicity, geographic location, or employer. *Staff Contact: Jim Steen, x5-6405*

**Mr. Goodlatte** may offer an amendment (#47) to modify the “motor-voter” registration law to confront the wave of illegal voter registration and voting fraud that has been charged with compromising recent elections. Specifically, the amendment repeals the federal mandate requiring states to permit voter registration by mail. The amendment requires voters to provide proof of citizenship and Social Security numbers when registering to vote. Furthermore, the amendment allows states to require voters (with the exception of uniformed servicepersons) to provide photo identification before voting. *Staff Contact: Brett Shogren, x5-5431*

**Mr. Hefley** may offer an amendment (#33) to prohibit *quid pro quo* campaign contributions in exchange for access to Air Force One. *Staff Contact: Rob Smith, x5-4422*

**Mr. Hefley** may offer an amendment (#34) to state that U.S taxpayers should be reimbursed for all costs incurred if Air Force One be used by the president, vice president, or cabinet secretary for political fundraising. *Staff Contact: Rob Smith, x5-4422*

**Ms. Maloney** may offer an amendment (#8) to permanently reauthorize appropriations for the Federal Election Commission (FEC). The amendment authorizes \$36,504,000 for the FEC for FY 1999, and such funds as may be necessary for all successive years. *Staff Contact: Mike Fischer, x5-7944*

**Ms. Maloney** may offer an amendment (#9) to require greater disclosure from individuals and organizations that conduct telephone polls. Specifically, the amendment requires anyone conducting a poll to disclose to each respondent at the end of an interview the identity or organization sponsoring the poll. The amendment also requires any organization that conducts a poll of more than 1,200 people, and does not publicly disclose the results, to report to the Federal Election Commission (FEC) the cost and funding sources for the poll, as well as the number of households contacted and the specific questions asked. *Staff Contact: Mike Fischer, x5-7944*

**Ms. Maloney** may offer one of two amendments (#11 or #12) to expand the current provisions of the Pendleton Act, which prohibits fundraising on public property. Specifically, the amendment (1) prohibits the solicitation or receipt of any political contribution on federal property; (2) clarifies that solicitation by telephone is prohibited under the Pendleton Act; (3) expands the reach of the Pendleton Act to prohibit the solicitation of soft money; (4) eliminates the current exemption under the Pendleton Act given to congressional offices; (5) requires any individual who receives a contribution on federal property to report and return the contribution to the Federal Election Commission (FEC). Amendment #12 does not include the provision to eliminate the Pendleton Act exemption for congressional offices. *Staff Contact: Mike Fischer, x5-7944*

**Mr. McInnis** may offer an amendment to prohibit solicitation to obtain access to Air Force One, Air Force Two, the White House, the Vice President’s residence, Marine One, and Marine Two.



The amendment institutes penalties for such an offense, including a fine or a prison term of up to one year. **Staff Contact: Kris Larson, x5-4761**

**Mr. McIntosh** may offer an amendment (#7) to expand the scope of the Hatch Act, which currently prohibits federal employees from engaging in political activities such as fund-raising. The amendment broadens the definition of “employee” to include employees of any city or local government—as well as any corporation, association, or other non-governmental entity—that receives federal funding. As with the employees currently covered by the Hatch Act, the amendment prohibits such employees from engaging in political activity while on duty. Also, the amendment prohibits the use of facilities, vehicles, and office equipment owned or leased by such governments and entities for political purposes. **Staff Contact: Leila Bate, x5-3021**

**Mr. Salmon** may offer an amendment (#46) to require the president to post on the Internet the name of any non-government passenger on Air Force One or Air Force Two within 30 days of the date of travel. The amendment allows the president to disclose the same information to the chairman and ranking member of the Permanent Select Committee on Intelligence if there are national security concerns. **Staff Contact: Steve Chucri, x5-2635**

**Mr. Shays and Mr. Meehan** may offer an amendment (#2) to strengthen the definition of express advocacy, as well as (1) revise the definition of “coordination of campaign contributions” between political parties and campaign committees; (2) prohibit political parties from making coordinated and independent expenditures for a general election candidate; (3) increase the frequency of disclosure requirements of independent expenditures; and (4) stipulate that if any portion of the measure is found unconstitutional, then the rest of the measure still stands. **Staff Contact: Allison Rak (Shays), x5-5541; Amy Rosenbaum (Meehan), x5-2635**

**Mr. Shays and Mr. Meehan** may offer an amendment (#3) to prohibit political parties from soliciting, accepting, or disbursing soft money. The amendment also (1) expands the definition of “express advocacy” to include communication that *indirectly* recommends voting or defeating a certain candidate; (2) revises the definition of “coordination of campaign contributions” between political parties and campaign committees; (3) prohibits political parties from making coordinated and independent expenditures for a general election candidate; (4) increases the frequency of disclosure requirements of independent expenditures; (5) requires direct review by the Supreme Court regarding the constitutionality of the measure; and (6) stipulates that if any portion of the measure is found unconstitutional, then the rest of the measure still stands. **Staff Contact: Allison Rak (Shays), x5-5541; Amy Rosenbaum (Meehan), x5-2635**

**Mr. Shays and Mr. Meehan** may offer an amendment (#4) to expand the definition of “express advocacy” to include communications that *indirectly* suggests voting or defeating a certain candidate. The amendment also requires direct review by the Supreme Court regarding the constitutionality of the measure. Finally, the amendment states that if any part of the measure is declared unconstitutional, then all other provisions will stand. **Staff Contact: Allison Rak (Shays), x5-5541; Amy Rosenbaum (Meehan), x5-2635**

**Mr. Shays and Mr. Meehan** may offer an amendment (#5) to codify the 1986 Supreme Court decision *Communication Workers of America v. Beck*, which stipulates that employees cannot be required to pay union dues to fund political activities of the union. The amendment requires labor unions to give “reasonable notice” to employees who pay union dues but are not union members of

their right to withhold their dues from political activities. *Staff Contact: Allison Rak (Shays), x5-5541; Amy Rosenbaum (Meehan), x5-2635*

**Ms. Slaughter** may offer an amendment (#19) to express the sense of Congress that broadcasting stations and cable operators should provide meaningful amounts of free television time to candidates for federal office, and that free television time should be used for programming consisting of unedited segments in which the candidate speaks directly to the camera. *Staff Contact: Dan O'Grady, x5-3615*

**Ms. Smith** may offer an amendment (#25) to clarify that current prohibitions on raising campaign funds in federal office buildings include raising or soliciting soft money and solicitations from the White House. *Staff Contact: John Dutton, x5-3536*

**Mr. Smith (MI)** may offer an amendment to establish a penalty for violating the prohibition against receiving foreign contributions, which includes a prison term of 5-20 years and a fine of up to \$1 million. *Staff Contact: Paul Borchers, x5-6276*

**Mr. Smith (MI)** may offer an amendment (#72) to require radio, television, and cable operators to report to the FEC the identity of political advertisers (including issue advocacy and candidate information) as well as the cost, duration, and any other appropriate information regarding the political advertisements. *Staff Contact: Paul Borchers, x5-6276*

**Mr. Snowbarger** may offer an amendment (#59) to increase penalties against campaign candidates and campaigns that willfully and knowingly violate the law. *Staff Contact: Patrick Wilson, x5-2865*

**Mr. Snowbarger** may offer an amendment (#60) to increase the budget authorization of the Federal Election Commission (FEC) to aid investigations and oversight of elections. *Staff Contact: Patrick Wilson, x5-2865*

**Mr. Stearns** may offer an amendment to prohibit disbursements of soft money by foreign nationals. *Staff Contact: Peter Krug, x5-5744*

**Mr. Stearns** may offer an amendment to ban campaign contributions from non-citizens. Specifically, the amendment makes it unlawful for any non-citizen—either directly or indirectly—to make a donation to a candidate for a federal, state, or local office, as well as a committee or political party. In addition, the measure prohibits candidates from soliciting, accepting, or receiving such donations. *Staff Contact: Peter Krug, x5-5744*

**Mr. Stearns** may offer an amendment to prohibit presidential candidates who receive federal funding from soliciting soft money. Specifically, the amendment states that any candidate for president or vice president cannot receive funds from the Presidential Election Campaign Fund unless the candidate certifies that he or she will not solicit any funds to use to influence the election, including any funds for an independent expenditure. *Staff Contact: Peter Krug, x5-5744*

**Mr. Stearns** may offer an amendment to establish criminal penalties for committing a conspiracy to violate presidential campaign spending limits. The amendment defines “conspiracy” as two or more persons who seek to avoid the spending limits applicable to the candidate under the Federal

Election Campaign Act by soliciting, receiving, transferring, or directing funds from any source that directly or indirectly benefits the candidate's campaign. The penalty for such a conspiracy includes a prison term of up to three years and a fine of up to \$1 million. **Staff Contact: Peter Krug, x5-5744**

**Mr. Traficant** may offer an amendment (#17) to modify House rules to make in order a motion to expel a member, at any time after the legislative day following the date on which the member is convicted of knowingly accepting a foreign campaign contribution, from the House of Representatives. The motion will be highly privileged, with no amendments or motions to reconsider allowed. **Staff Contact: Paul Marcone, x5-5261**

**Mr. Whitfield** may offer an amendment (#40 or #114) to require that any court reviewing the constitutionality of this bill must use as their standard of judgment the "strict scrutiny" test—i.e., the bill must serve a compelling governmental interest in the least restrictive manner possible. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Whitfield** may offer an amendment (#42 or #113) to require the Federal Election Commission (FEC) to observe First Amendment limits on regulatory activities. The amendment requires the FEC to act in a manner that will have the least restrictive effect on the rights of free speech and association when prescribing forms or making, amending, or repealing its rules. Upon review by a court, any actions by the FEC not in harmony with these principles must be found unlawful and be set aside. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Whitfield** may offer an amendment (#43) to ban any coordination of spending on issue advocacy by presidential campaigns that have agreed to abide by the spending limits required to receive federal funding. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Whitfield** may offer an amendment (#44) to require that any constitutional challenge to this bill must be heard by a three-judge panel and advanced on the docket where possible. The panel could also grant an appeal to the Supreme Court. **Staff Contact: Jason Van Pelt, x5-3115**

### — *Shays-Meehan Substitute* —

The Shays-Meehan substitute eliminates federal and state soft money that influences federal elections. It redefines the concept of "express advocacy," as it applies to campaign spending by independent groups and party organizations, to include radio and television communications that refer to a clearly identified federal candidate within 60 days of an election or those communications that include unmistakable support for or opposition to a clearly identified federal candidate outside the 60-day period. The substitute permits only hard money to be used for express advocacy ads. The amendment requires candidates to file their FEC reports electronically and requires the FEC to post reports on the Internet.

The substitute requires anyone who makes an independent expenditure of \$1,000 or more within 20 days of an election to file a report with the FEC within 24 hours and permits the FEC to conduct random audits and investigations of campaign committees. The amendment prohibits a campaign committee from depositing a contribution check before all contributor information is complete.



It clarifies restrictions on fundraising on federal property and codifies the Supreme Court's *Beck* decision which requires labor organizations to annually notify employees who pay agency fees that they are eligible to object to the use of their funds for political activities. Finally, the amendment bans political parties from making coordinated expenditures on behalf of those candidates that do not limit their own spending to \$50,000. The amendment contains the language of H.R. 3526, the Bipartisan Campaign Reform Act, which was introduced by Mr. Shays and Mr. Meehan on March 19, 1998. **Staff Contacts:** *Allison Rak (Shays), x5-5541; Amy Rosenbaum (Meehan), x5-3411*

#### **Amendments to the Shays-Meehan Substitute:**

**Mr. DeLay** may offer an amendment (#78) to express the sense of Congress that Attorney General Janet Reno should immediately appoint an independent counsel to investigate alleged criminal conduct relating to the financing of the 1996 federal elections. **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#79) to express the sense of Congress that federal law clearly demonstrates that controlling legal authority prohibits the use of federal property to raise campaign funds. **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#80) to repeal the media exemption in the 1971 Federal Election Campaign Act. The amendment would effectively include items such as news stories and editorials distributed through broadcast media in the definition of "expenditure." **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#81) to modify the 1971 Federal Election Campaign Act to exempt legislative alerts from coverage under "express advocacy" requirements. **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#82) to prohibit the "voter guide" exemption in the 1971 Federal Election Campaign Act from being interpreted as "express advocacy." **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#83) to eliminate, in the substitute's definition of "coordination with candidates," the payment of shared campaign-related services. **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#84) to prohibit congressional communications regarding legislative positions of members from being interpreted as "coordination with a candidate." **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. DeLay** may offer an amendment (#85) to limit the substitute's expanded treatment of contributions provided in coordination with a candidate as "express advocacy" communications. **Staff Contact:** *Tony Rudy, x5-5951*

**Mr. Doolittle** may offer an amendment (#61) to prohibit states from providing voting materials in any language other than English. **Staff Contact:** *Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#62) to allow states to require proof of citizenship before allowing an individual to vote. **Staff Contact:** *Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#74) to eliminate public financing of presidential campaigns and to terminate the Presidential Campaign Fund. The amendment transfers the remaining funds in the Presidential Campaign Fund to the general fund of the U.S. Treasury. *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#86) to terminate public financing of presidential election campaigns. *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#87) to place term limits on the staff director and general counsel of the Federal Election Commission (FEC). *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#88) to permit courts to require the Federal Election Commission (FEC) to pay attorney's fees and costs to certain prevailing parties. *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#89) to eliminate from the substitute a provision treating "express advocacy" communications as expenditures under the 1971 Federal Election Campaign Act. *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#90) to replace the Shays-Meehan definition of express advocacy with the definition established by the Supreme Court in *Buckley v. Valeo* (1976), which defines express advocacy as a communication containing express words of advocacy of election or defeat of a candidate. *Staff Contact: Pete Evich, x5-2511*

**Mr. Fossella** may offer an amendment (#91) to modify the 1971 Federal Election Campaign Act to prohibit individuals who are not citizens of the United States from making contributions in connection with an election for federal office. *Staff Contact: Jennifer Prazmark, x5-3371*

**Ms. Fowler** may offer an amendment to establish a \$1,000 contribution limit for political action committees (PACs)—equal to current individual contribution limits. *Staff Contact: David Gilliland, x5-2501*

**Ms. Fowler** may offer an amendment to ban contributions between PACs. *Staff Contact: David Gilliland, x5-2501*

**Ms. Fowler** may offer an amendment to prohibit candidates for the House of Representatives from raising more than 50 percent of campaign funds out of the state in which the candidate is running. *Staff Contact: David Gilliland, x5-2501*

**Mr. Gilchrest** may offer an amendment to prohibit contributions to candidates for the House, delegate, or resident commissioner from PACs and from individuals who are not residents of the congressional district involved. *Staff Contact: Tom Evans, x5-5311*

**Mr. Gillmor** may offer an amendment (#92) to assert that all Americans should be afforded equal rights to participate in the political process, regardless of race, gender, ethnicity, geographic location, or employer. *Staff Contact: Jim Steen, x5-6405*

**Mr. Goodlatte** may offer an amendment (#47) to modify the “motor-voter” registration law to confront the wave of illegal voter registration and voting fraud that has been charged with compromising recent elections. Specifically, the amendment repeals the federal mandate requiring states to permit voter registration by mail. The amendment requires voters to provide proof of citizenship and Social Security numbers when registering to vote. Furthermore, the amendment allows states to require voters (with the exception of uniformed servicepersons) to provide photo identification before voting. *Staff Contact: Brett Shogren, x5-5431*

**Mr. Horn** may offer an amendment to allow the principle campaign committee for a House or Senate candidate to send campaign mailings at the reduced postal rate now provided to party committees with a limit of two mailings per household in the candidate’s district or state. *Staff Contact: Dave Bartel, x5-6676*

**Ms. Kaptur** may offer an amendment (#71) to prohibit contributions by multicandidate political committees or separate funds sponsored by foreign-controlled corporations and associations. The amendment defines “foreign-owned corporation” as a corporation which has at least 50 percent of its ownership interest controlled by persons other than citizens or nationals of the United States. The amendment also establishes a clearinghouse of political activities information within the Federal Election Commission. The duties of the director of the clearinghouse include developing a filing, coding, and cross-indexing system; as well as identifying all persons in FEC reports, registrations, and other existing public disclosures. *Staff Contact: Tim Sechrist, x5-4146*

**Ms. Kaptur** may offer an amendment (#73) to stipulate that if any portion of the substitute is found unconstitutional by the Supreme Court, then the House will consider a joint resolution proposing a constitutional amendment to set reasonable limits on expenditures in federal campaign. *Staff Contact: Tim Sechrist, x5-4146*

**Ms. Maloney** may offer an amendment (#10) to create an independent, 12-member commission—appointed by the Speaker and the minority leader of the House, and the majority and minority leaders of the Senate—to recommend further changes in campaign finance law. The amendment requires that one of every individual’s three appointments be a political “independent” and prohibits its members of Congress from serving on the commission. The commission must recommend campaign finance legislation, approved by nine of the twelve members, within 180 days after the 105<sup>th</sup> Congress adjourns *sine die*. The recommended proposal will then be considered in the House and Senate under procedures similar to those used for consideration of the recommendations of the Base Closure & Realignment Commission. *Staff Contact: Mike Fischer, x5-7944*

**Mr. McInnis** may offer an amendment to prohibit solicitation to obtain access to Air Force One, Air Force Two, the White House, the Vice President’s residence, Marine One, and Marine Two. The amendment institutes penalties for such an offense, including a fine or a prison term of up to one year. *Staff Contact: Kris Larson, x5-4761*

**Mr. McIntosh** may offer an amendment (#7) to expand the scope of the Hatch Act, which currently prohibits federal employees from engaging in political activities such as fund-raising. The amendment broadens the definition of “employee” to include employees of any city or local government—as well as any corporation, association, or other non-governmental entity—that receives federal funding. As with the employees currently covered by the Hatch Act, the amendment prohibits such employees from engaging in political activity while on duty. Also, the amendment

prohibits the use of facilities, vehicles, and office equipment owned or leased by such governments and entities for political purposes. *Staff Contact: Leila Bate, x5-3021*

**Mr. Miller** may offer an amendment (#35) to modify the LM-2 form which is required by the Labor Management Reporting and Disclosure Act of 1959. The LM-2 is a financial disclosure form submitted to the Labor Department's Office of Labor and Management by all unions with annual receipts over \$200,000. The amendment modifies the form by establishing a functional accounting section to require unions to submit information on how much they spend on contract negotiations and administration, organizing, strike and political activities, and lobbying and promotional activities. *Staff Contact: Dani Doane, x5-5015*

**Mr. Miller (FL)** may offer an amendment (#93) to increase the disclosure requirement for labor activities from \$10,000 to \$40,000. The amendment includes in the total disclosure money spent for officer and employee payments; fees, fines, and assessments; office and administrative expenses and direct taxes, educational and publicity expenses, professional fees; contributions and grants; as well as contract negotiations, organizing, striking activities, political activities, and lobbying activities. The amendment takes effect December 31, 2000. *Staff Contact: Dani Doane, x5-5015*

**Ms. Northup** may offer an amendment (#28) to require taxpayers to directly pay the three-dollar presidential check-off contribution, rather than have the designation come out of the Treasury Department's general fund. *Staff Contact: Juliane Carter, x5-5401*

**Mr. Paul** may offer an amendment (#68) to establish minimum ballot petition signature limits and impose ballot petition time limits. Candidates for president, vice president, or the Senate, must get a minimum of one-tenth of one percent of the signatures of the individuals who voted in the most recent federal election in the state, or 1,000 signatures—whichever is greater. Candidates for the House must get one-half of one percent of the signatures, or 1,000 signatures. The amendment also states that petition signatures may not be restricted by states for candidates whose respective parties received a minimum of one percent of the votes cast in the most recent election for president or Senate in that state. *Staff Contact: Joe Becker, x5-2831*

**Mr. Paxon** may offer an amendment (#95) to require unions to report financial activity under labor laws by functional categories such as contract negotiation and administration, organizing activities, strike activities, political activities, lobbying and promotional activities, and market recovery and job targeting programs. Also, the amendment requires that these reports be posted on the Internet. *Staff Contact: Nydia Bonnin, x5-5265*

**Mr. Peterson (PA)** may offer an amendment (#16) to require the Attorney General, in consultation with the Social Security Commissioner, to establish a voluntary pilot program for state and local election officials to determine voter eligibility regarding a voter's citizenship. The pilot program would seek to establish a reliable, secure method by which to compare the name, date of birth, and Social Security number provided in an inquiry with data maintained by the Social Security Commissioner in order to confirm whether or not the voter is a citizen of the United States. The pilot program will be established first in California, New York, Texas, Florida, and Illinois. *Staff Contact: Bob Ferguson, x5-5121*

**Mr. Salmon** may offer an amendment (#46) to require the president to post on the Internet the name of any non-government passenger on Air Force One or Air Force Two within 30 days of the date of travel. The amendment allows the president to disclose the same information to the chairman and ranking member of the Permanent Select Committee on Intelligence if there are national security concerns. *Staff Contact: Steve Chucri, x5-2635*

**Ms. Slaughter** may offer an amendment (#19) to express the sense of Congress that broadcasting-stations and cable operators should provide meaningful amounts of free television time to candidates for federal office, and that free television time should be used for programming consisting of unedited segments in which the candidate speaks directly to the camera. *Staff Contact: Dan O'Grady, x5-3615*

**Ms. Smith** may offer an amendment (#23) to extend the codification of the *Beck* decision to include union members. *Staff Contact: John Dutton, x5-3536*

**Mr. Thomas** may offer an amendment (#48) to prohibit political party officials from raising funds to influence labor union elections, with an exemption for officials who already are elected officials of labor unions. *Staff Contact: Steve Miller, x5-8281*

**Mr. Traficant** may offer an amendment (#17) to modify House rules to make in order a motion to expel a member, at any time after the legislative day following the date on which the member is convicted of knowingly accepting a foreign campaign contribution, from the House of Representatives. The motion will be highly privileged, with no amendments or motions to reconsider allowed. *Staff Contact: Paul Marcone, x5-5261*

**Mr. Whitfield** may offer an amendment (#44) to require that any constitutional challenge to this bill must be heard by a three-judge panel and advanced on the docket where possible. The panel could also grant an appeal to the Supreme Court. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#97) to ban any coordination of spending on issue advocacy by presidential campaigns that have agreed to abide by the spending limits required to receive federal funding. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#98) to allow national committees of political parties to spend soft money on voter identification, get-out-the-vote activity, or generic campaign activity conducted in an election involving a candidate for federal office. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#99) to modify the definition of “federal election activity” to include voter registration activity conducted seven days before an election until the day of the election. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#100) to define a federal election activity as a communication that refers to a clearly identified candidate for federal office—regardless of whether a candidate for a state or local office also is mentioned or identified—and is made for the purpose of influencing the election (regardless of whether the communication constitutes “express advocacy”). *Staff Contact: Jason Van Pelt, x5-3115*



**Mr. Whitfield** may offer an amendment (#101) to exclude from the definition of “federal election activity” general campaign activity solely on behalf of candidates for state and local office—even if a candidate for federal office appears on the ballot. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#102) to apply the state party soft money ban to spending on certain grassroots campaign materials. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment to (#103) exclude from the definition of “federal election activity” any amount of money spent or disbursed by a state, district, or local committee of a political party for the federal share of such a committee’s administrative and overhead expenses. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#104) to eliminate the substitute’s ban on soft money. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#105) to eliminate the substitute’s prohibition against fundraising by political parties on behalf of nonprofit organizations. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#106) to eliminate the substitute’s prohibition against the use of soft money by political parties to cover costs of fundraising. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#107) to raise the campaign contribution limit for individuals from \$1,000 to \$3,000. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#108) to increase the aggregate annual contribution limit for individuals to \$50,000. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#109) to eliminate the substitute’s expanded definition of an “expenditure,” which includes expenditures for communications regardless of whether the communication is express advocacy. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#110) to strike the Federal Election Commission’s random audit authority authorized in the substitute. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#111) to eliminate the requirement for full disclosure of contributor information for any contribution over \$50. Current law requires the identification of the name and address of a person contributing \$200 or more to a campaign committee. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#112) to prohibit the use of the congressional frank during the 90 days before the general election. *Staff Contact: Jason Van Pelt, x5-3115*

**Mr. Whitfield** may offer an amendment (#113) to require the Federal Election Commission (FEC) to observe First Amendment limits on regulatory activities. The amendment requires the FEC to act in a manner that will have the least restrictive effect on the rights of free speech and association when prescribing forms or making, amending, or repealing its rules. Upon review by a court, any

actions by the FEC not in harmony with these principles must be found unlawful and be set aside. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Whitfield** may offer an amendment (#114) to require that any court reviewing the constitutionality of this bill must use as their standard of judgment the “strict scrutiny” test—i.e., the bill must serve a compelling governmental interest in the least restrictive manner possible. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Whitfield** may offer an amendment (#115) to repeal the limits imposed by the Federal Election Campaign Act on the amount of coordinated expenditures national political parties may spend in congressional elections. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Wicker** may offer an amendment (#116) to prohibit the use of White House meals or accommodations in exchange for contributions and support for any political party or campaign for political office. **Staff Contact: Drew Maloney, x5-4306**

**Mr. Wicker** may offer an amendment (#117) to allow states to require an individual to produce a valid photo identification before receiving a ballot for voting in an election for federal office. **Staff Contact: Drew Maloney, x5-4306**

### — *Bass Substitute* —

The Bass substitute is virtually identical to the Shays-Meehan substitute, except that it goes beyond codifying the Supreme Court’s *Beck* decision to include “paycheck protection” language, which requires that a corporation or labor organization secure the written and voluntary consent from an employee or union member before collecting and using any portion of the dues or fees for political activities. The substitute bans soft money and increases the contribution levels for state political committees from \$5,000 to \$10,000 and the aggregate contribution limit for individuals from \$25,000 to \$30,000 a year.

The amendment defines “express advocacy” to include advertisements that refer to a clearly identified candidate and/or show unambiguous support for or opposition to a clearly identified federal candidate within 60 days of an election. The amendment also requires that express advocacy ads must be paid for with federally regulated “hard money.” The substitute requires anyone who makes an independent expenditure of \$1,000 or more within 20 days of an election to file a report with the FEC within 24 hours and permits the FEC to conduct random audits and investigations of campaign committees. The amendment prohibits a campaign committee from depositing a contribution check before all contributor information is complete.

The amendment prohibits political parties from making coordinated expenditures on behalf of candidates who spend more than \$50,000 in personal resources on their campaign. Finally, the amendment contains “paycheck protection” provisions and bans the use of franked mail within six months of an election. The amendment contains the language to H.R. 3721, the Campaign Reform Act, which was introduced by Mr. Bass on April 23, 1998. **Staff Contact: David Leland, x5-5206**

### **Amendments to the Bass Substitute:**

**Mr. Doolittle** may offer an amendment (#61) to prohibit states from providing voting materials in any language other than English. *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#62) to allow states to require proof of citizenship before allowing an individual to vote. *Staff Contact: Pete Evich, x5-2511*

**Mr. Doolittle** may offer an amendment (#74) to eliminate public financing of presidential campaigns and to terminate the Presidential Campaign Fund. The amendment transfers the remaining funds in the Presidential Campaign Fund to the general fund of the U.S. Treasury. *Staff Contact: Pete Evich, x5-2511*

**Mr. Goodlatte** may offer an amendment (#47) to modify the “motor-voter” registration law to confront the wave of illegal voter registration and voting fraud that has been charged with compromising recent elections. Specifically, the amendment repeals the federal mandate requiring states to permit voter registration by mail. The amendment requires voters to provide proof of citizenship and Social Security numbers when registering to vote. Furthermore, the amendment allows states to require voters (with the exception of uniformed servicepersons) to provide photo identification before voting. *Staff Contact: Brett Shogren, x5-5431*

**Ms. Fowler** may offer an amendment to establish a \$1,000 contribution limit for political action committees (PACs)—equal to current individual contribution limits. *Staff Contact: David Gilliland, x5-2501*

**Ms. Fowler** may offer an amendment to ban contributions between PACs. *Staff Contact: David Gilliland, x5-2501*

**Ms. Fowler** may offer an amendment to prohibit candidates for the House of Representatives from raising more than 50 percent of campaign funds out of the state in which the candidate is running. *Staff Contact: David Gilliland, x5-2501*

**Mr. Gilchrest** may offer an amendment to prohibit contributions to candidates for the House, delegate, or resident commissioner from PACs and from individuals who are not residents of the congressional district involved. *Staff Contact: Tom Evans, x5-5311*

**Ms. Maloney** may offer an amendment (#10) to create an independent, 12-member commission—appointed by the Speaker and the minority leader of the House, and the majority and minority leaders of the Senate—to recommend further changes in campaign finance law. The amendment requires that one of every individual’s three appointments be a political “independent”, and prohibits members of Congress from serving on the commission. The commission must recommend campaign finance legislation, approved by nine of the twelve members, within 180 days after the 105<sup>th</sup> Congress adjourns *sine die*. The recommended proposal will then be considered in the House and Senate under procedures similar to those used for consideration of the recommendations of the Base Closure & Realignment Commission. *Staff Contact: Mike Fischer, x5-7944*

**Mr. McInnis** may offer an amendment to prohibit solicitation to obtain access to Air Force One, Air Force Two, the White House, the Vice President’s residence, Marine One, and Marine Two.

The amendment institutes penalties for such an offense, including a fine or a prison term of up to one year. *Staff Contact: Kris Larson, x5-4761*

**Mr. McIntosh** may offer an amendment (#7) to expand the scope of the Hatch Act, which currently prohibits federal employees from engaging in political activities such as fund-raising. The amendment broadens the definition of “employee” to include employees of any city or local government—as well as any corporation, association, or other non-governmental entity—that receives federal funding. As with the employees currently covered by the Hatch Act, the amendment prohibits such employees from engaging in political activity while on duty. Also, the amendment prohibits the use of facilities, vehicles, and office equipment owned or leased by such governments and entities for political purposes. *Staff Contact: Leila Bate, x5-3021*

**Ms. Northup** may offer an amendment (#28) to require taxpayers to directly pay the three-dollar presidential check-off contribution, rather than have the designation come out of the Treasury Department’s general fund. *Staff Contact: Julianne Carter, x5-5401*

**Mr. Paul** may offer an amendment (#68) to establish minimum ballot petition signature limits and impose ballot petition time limits. Candidates for president, vice president, or the Senate, must get a minimum of one-tenth of one percent of the signatures of the individuals who voted in the most recent federal election in the state, or 1,000 signatures—whichever is greater. Candidates for the House must get one-half of one percent of the signatures, or 1,000 signatures. The amendment also states that petition signatures may not be restricted by states for candidates whose respective parties received a minimum of one percent of the votes cast in the most recent election for president or Senate in that state. *Staff Contact: Joe Becker, x5-2831*

**Mr. Paxon** may offer an amendment (#18 or #95) to require unions to report financial activity under labor laws by functional categories such as contract negotiation and administration, organizing activities, strike activities, political activities, lobbying and promotional activities, and market recovery and job targeting programs. Also, the amendment requires that these reports be posted on the Internet. *Staff Contact: Nydia Bonnin, x5-5265*

**Mr. Peterson (PA)** may offer an amendment (#16) to require the Attorney General, in consultation with the Social Security Commissioner, to establish a voluntary pilot program for state and local election officials to determine voter eligibility regarding a voter’s citizenship. The pilot program would seek to establish a reliable, secure method by which to compare the name, date of birth, and Social Security number provided in an inquiry with data maintained by the Social Security Commissioner in order to confirm whether or not the voter is a citizen of the United States. The pilot program will be established first in California, New York, Texas, Florida, and Illinois. *Staff Contact: Bob Ferguson, x5-5121*

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dates for federal office, and that free television time should be used for programming consisting of unedited segments in which the candidate speaks directly to the camera. **Staff Contact: Dan O'Grady, x5-3615**

**Ms. Smith** may offer an amendment (#24) to extend the codification of the *Beck* decision to include union members. **Staff Contact: John Dutton, x5-3536**

**Mr. Traficant** may offer an amendment (#17) to modify House rules to make in order a motion to expel a member, at any time after the legislative day following the date on which the member is convicted of knowingly accepting a foreign campaign contribution, from the House of Representatives. The motion will be highly privileged, with no amendments or motions to reconsider allowed. **Staff Contact: Paul Marccone, x5-5261**

**Mr. Whitfield** may offer an amendment (#44) to require that any constitutional challenge to this bill must be heard by a three-judge panel and advanced on the docket where possible. The panel could also grant an appeal to the Supreme Court. **Staff Contact: Jason Van Pelt, x5-3115**

**Mr. Wicker** may offer an amendment (#116) to prohibit the use of White House meals or accommodations in exchange for contributions and support for any political party or campaign for political office. **Staff Contact: Drew Maloney, x5-4306**

**Mr. Wicker** may offer an amendment (#117) to allow states to require an individual to produce a valid photo identification before receiving a ballot for voting in an election for federal office. **Staff Contact: Drew Maloney, x5-4306**

**Additional Information:** See *Legislative Digest*, Vol. XXVII, #13, May 15, 1998.

PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER ENTIRELY NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD*.

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*Legislative Analysts*

House  
REPUBLICAN  
Conference

Legislative  
Digest



# House REPUBLICAN Conference Amendment Alert!

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Please attach the text of the amendment (if available) and fax to the *Legislative Digest* at x5-7298

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John Boehner  
Chairman  
8th District, Ohio

Member Sponsoring Amendment: \_\_\_\_\_ Bill #: \_\_\_\_\_

Additional Co-sponsors (if any): \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_ Evening Phone #: \_\_\_\_\_

Description of the amendment: \_\_\_\_\_

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(Please include any additional or contextual information)

Reason for offering amendment (e.g., How will this change the bill or current law? Why should members support this change?): \_\_\_\_\_

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*Legislative Digest reserves the right to edit descriptions for style, readability, and provisional accuracy.*

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